



# UNITED STATES DISTRICT COURT

for the  
District of New Mexico

United States of America )

v. )

TYRELL WILLIE )  
(YOB 1986) )

Case No. MJ 23-944 BPB )

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 29, 2023 in the county of San Juan in the  
District of New Mexico, the defendant(s) violated:

### Code Section

18 U.S.C. §§ 1153; 113(a)(3)  
18 U.S.C. §§ 1153; 113(a)(6)  
18 U.S.C. § 924(c)(1)(A)(iii)

### Offense Description

Assault with a dangerous weapon  
Assault resulting in serious bodily injury  
Use of firearm in furtherance of a crime of violence

This criminal complaint is based on these facts:

See attached affidavit, submitted by FBI Special Agent Dustin Patterson and approved by Supervisory AUSA Elisa Dimas.

☒ Continued on the attached sheet.

Complainant's signature

FBI Special Agent Dustin Patterson

Printed name and title

Telephonically sworn and electronically signed.

Date: 05/29/2023

Judge's signature

City and state: Farmington, New Mexico

Hon. B. Paul Briones, U.S. Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA

VS

TYRELL WILLIE  
Year of birth: 1986

Case No. \_\_\_\_\_

**AFFIDAVIT IN SUPPORT OF A PROBABLE CAUSE ARREST**

I, Dustin Patterson, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been since May 2017. As such, I am a law enforcement officer of the United States and I am empowered by law to conduct investigations and to make arrests for criminal offenses. My current assignment is working as a Special Agent in Farmington, New Mexico, where I primarily investigate crimes that occur in Indian Country to include homicide, drug trafficking, aggravated assault, child sexual assault, kidnapping, and rape. Since joining the FBI, I received training at the FBI Academy in Quantico, Virginia and since the academy have completed numerous in-service trainings related to federal investigations. My training and experience as a Special Agent includes, but is not limited to, processing crime scenes, conducting surveillance, interviewing subjects and witnesses, writing affidavits, examining cellular telephones, managing confidential human sources, and collecting evidence.

2. Prior to being assigned to Farmington, New Mexico, I was a Special Agent in the Portland, Oregon field office, where I worked on the Clackamas County Interagency Task Force (CCITF). I have participated in numerous complex drug trafficking and money laundering investigations.

3. The information set forth in this affidavit has been derived from an investigation conducted by the Farmington Resident Agency of the FBI, the Navajo Department of Criminal Investigations (NNDICI), the Navajo Police Department (NPD), and/or communicated to me by other law enforcement officers and witnesses.

4. This affidavit is in support of criminal charges against subject, TYRELL WILLIE. WILLIE shot John Doe with a shotgun, thereby committing assault with a dangerous weapon in Indian Country in violation of 18 U.S.C. §§ 1153 and 113(a)(3), assault resulting in serious bodily injury in Indian Country in violation of 18 U.S.C. §§ 1153 and 113(a)(6), and using and carrying a firearm during and in relation to a crime of violence, possessing a firearm in furtherance of such crime, and discharging said firearm in violation 18 U.S.C. § 924(c)(1)(A)(iii)

### **INVESTIGATION**

5. On May 29, 2023, at approximately 4:40 a.m., Navajo Nation Criminal Investigator (CI) Dean Goldtooth notified the FBI that a shooting had occurred at 154 N 509 Road, Shiprock, San Juan County New Mexico, which is inside the exterior boundaries of the Navajo Nation reservation. Based off the initial information received investigators learned a gunshot victim was being treated at Northern Navajo Medical Center and a suspect was in custody with minor injuries also being treated at Northern Navajo Medical Center.

6. Upon arriving at the crime scene, 154 N 509 Road, Shiprock, New Mexico, investigators found a Navajo Nation marked patrol unit who had secured the scene. The Navajo Nation Police Office was identified as Sergeant Greyeyes and he provided the following information:

7. At approximately 3:32 a.m. Navajo Nation police department received multiple calls that a yellow truck was driving erratically and had damaged property in the area of 154 N

509 Road, Shiprock, New Mexico. Multiple units were dispatched for an area check which was conducted at 3:35 a.m. At approximately 3:45 a.m., officers notified dispatch that they were with a damaged Chevrolet Malibu near 225 Dine Drive, Shiprock, New Mexico, just around the corner from 154 N 509 Road, Shiprock, New Mexico. While at the scene, Sergeant Greyeyes noticed a yellow Ford truck drive by his location and recognized it as the possible suspect vehicle. Less than a minute later at 3:59 a.m., Sergeant Greyeyes heard gunshots and advised dispatch. Sergeant Greyeyes, Officer Foster, and Officer Simms immediately drove to the area of the gunshots and found the victim, John Doe, with a gunshot wound to the abdomen laying in the driveway of 154 N 509 Road, Shiprock, NM. At 4:00 a.m. Sergeant Greyeyes notified dispatch he needed EMS. Officer Foster and Officer Simms immediately drove away from the scene in an attempt to locate the yellow truck. Sergeant Greyeyes loaded John Doe into his patrol vehicle and took him to the hospital. Sergeant Greyeyes then returned to the residence to secure the scene.

8. At approximately 4:01 a.m., Office Foster and Office Simms located the suspect vehicle stalled near 100 N 509 Road, Shiprock, NM, and they conducted a high risk stop of the vehicle. The suspect, later identified as TYRELL WILLIE, stepped out of the driver side of the truck holding a shotgun. After being given commands to drop the gun, WILLIE, slid the shotgun under the truck. WILLIE was handcuffed by the officers. WILLIE complained his eye was injured, and officers transported him to Northern Region Medical Center where his injured eye was treated.

9. After speaking with Sergeant Greyeyes, investigators processed the scene outside of 154 N 509 Road, Shiprock, NM. Investigators noted and photographed damage to the fence outside the residence as well as the damage to the fence of the neighbor's residence at 151 Toas Circle, Shiprock, NM. Investigators located two spent shotgun shells lying in the road out front

of 154 N 509 Road, Shiprock, NM. The shotgun shells were pink with the manufacture name “Top Gun” printed along the shell.

10. After processing the scene outside of the residence, investigators went to 225 Dine Dr., Shiprock, NM to photograph the vehicle which had been involved in the hit and run with the yellow truck. While photographing the car, investigators were approached by a resident of the area identified here as Witness 1. Witness 1 stated that he walked outside early this morning after he “heard someone hauling ass” in the neighborhood. When he walked out, he watched as a “yellow or brown” Ford single cab pickup backed up into a Chevrolet Malibu and then drove off. Investigators noted yellow paint on the damaged Chevrolet Malibu.

11. After photographing the Chevrolet Malibu, investigators went to the scene where officers had stopped WILLIE. The shotgun that WILLIE exited the truck with was lying in the dirt near the passenger door of the pickup. Investigators photographed the vehicle which had a broken taillight, and damage to the front and rear of the truck. Investigators secured and seized the shotgun which was lying in the dirt. The shotgun was loaded with four pink “Top Gun” shotgun shells which appeared to be the same brand and type of shell found at the scene of the shooting. After processing the scene investigators travelled to the hospital to check the status of John Doe and speak with those involved.

#### **Interview of Jane Doe**

12. Upon arriving at the hospital, investigators located and spoke with John Doe’s mother, who is identified in this affidavit as Jane Doe. At the time of the interview, Jane Doe did not have any visible injuries to her neck or other body parts. Jane Doe was interviewed and provided the following information.

13. At approximately 10:30 p.m. on May 28, 2023, Jane Doe received a Facebook messenger message from “TJ” (known to investigators as WILLIE) a man she had met on Facebook approximately two weeks before. Jane Doe had met with WILLIE to “hangout” on approximately two other occasions. WILLIE messaged Jane Doe and asked if he could come over to her house, to which she agreed.

14. At approximately 2:00 a.m., WILLIE arrived at her house driving a yellow older truck. When WILLIE arrived, Jane Doe walked out to the truck and got into the passenger seat of the truck. Jane Doe noted that WILLIE was intoxicated. Jane Doe did not see any firearms in the truck and she was not afraid of WILLIE because of their previous interactions. The two spoke for about 15 minutes, when WILLIE got upset for an unknown reason and walked to the passenger side of the truck and opened the door. WILLIE then put his forearm into Jane Doe’s throat and tried to throw Jane Doe out of his truck. Jane Doe told him she was going to scream for her son if he didn’t stop. WILLIE didn’t let go so she screamed. Jane Doe’s son, John Doe came out of the residence and grabbed WILLIE and threw him to the ground. When WILLIE fell to the ground, Jane Doe got out of the passenger seat and got behind John Doe. WILLIE got up and got into the driver seat of the yellow truck and then drove away after hitting her fence and backing into the neighbor’s fence.

15. After driving away, Jane Doe, noticed that WILLIE drove around the block in the truck two times. After driving around the two times, Jane Doe believed that WILLIE left the area for approximately 30 minutes. After approximately 30 minutes John Doe told Jane Doe he believed he heard the truck. John Doe walked outside. While John Doe was standing outside, Jane Doe saw the truck pull up slowly with the headlights off. That is when Jane Doe heard the

gunshots. Then she heard John Doe yell and when she walked outside she saw her son grab his shirt near his midsection.

16. Almost immediately after the shots, Jane Doe, saw two marked police officers and told them her son had been shot and the guy who shot him was driving away. One of the officers drove off in the direction of the suspect vehicle and the second officer aided John Doe. He was transported by the officer to the hospital and Jane Doe followed.

### **Interview of WILLIE**

17. After speaking with Jane Doe, investigators interviewed WILLIE who was being treated in a hospital bed for an eye injury. WILLIE was handcuffed in front of his body. After entering the room, the affiant read WILLIE his Miranda rights from the FBI Advice of Rights form. WILLIE acknowledged he understood his rights and wished to speak with investigators. WILLIE stated he was sober and understood what was happening. WILLIE state he had drank a double shooter and beer hours ago. WILLIE provided the following information:

18. Last night WILLIE received a message from a woman he has known for about three weeks, Jane Doe. WILLIE accepted the invite and drove to her residence where he parked in the front driveway. WILLIE and Jane Doe sat in the truck for approximately an hour. After an hour WILLIE told Jane Doe he needed to leave to take care of his kids but she refused to get out of his truck. WILLIE then went to the passenger side of the truck and grabbed on Jane Doe's arm to pull her out of the truck. Jane Doe immediately started yelling for help and three men who WILLIE believed were Jane Doe's brother walked out of her residence and immediately started beating WILLIE. WILLIE saw one of the men holding and beating him with a screwdriver.

19. WILLIE was able to use his wrestling skills to crawl away and get into his truck. Once he got into his truck, WILLIE grabbed a shotgun which he owns and keeps in his truck.

When he grabbed the shotgun he fired one round and was unsure if he hit anyone. After he fired the shotgun round the men backed away, and WILLIE was able to drive off. As soon as he drove off, WILLIE was stopped by police. WILLIE did not circle the block or hit a fence while he was leaving. WILLIE stated he keeps the shotgun loaded and has extra rounds in his truck. WILLIE purchased birdshot and the shotgun shells are pink in support of breast cancer awareness.

20. After listening to WILLIE's initial narrative, investigators confronted WILLIE and told him his story did not line up with the evidence gathered at the scene, including the facts that yellow paint was found on a vehicle that had been struck in the neighborhood, that officers had seen him drive by just prior to the shooting, and that two spent shotgun shells had been found in the street not the driveway. WILLIE then stated he may have drove around the block before going to Jane Doe's house, but definitely not after. WILLIE continued to reiterate that three men had beat him and that's why he fired his gun. He denied leaving the residence and returning and denied firing more than one shot.

21. Based upon information and belief, WILLIE and John Doe are members of the Navajo Nation.

### **Conclusion**

22. Based on the facts and evidence gathered during this investigation, including the Navajo Police Department dispatch log, I have probable cause to believe and do believe that WILLIE was involved in a physical and verbal altercation with John Doe and Jane Doe outside of 154 N 509 Road, Shiprock, NM. Following the initial confrontation at approximately 3:30 a.m., WILLIE drove away from the residence damaging multiple fences which led to police being called. WILLIE circled the block a number of times, during which time he hit a parked Chevrolet Malibu transferring yellow paint. Officers arrived in the area at approximately 3:35 a.m. for an area check

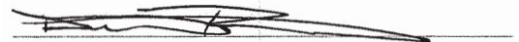


and were unable to locate the suspect vehicle but noted the damage to the Malibu. A short time later while investigating the disturbance Sergeant Greyeyes saw the suspect yellow Ford truck pass by him. Less than a minute later shots were fired and John Doe was shot in the abdomen. WILLIE attempted to flee the area but was apprehended by police. During the interrogation of WILLIE he admitted to firing his shotgun one time, alleging self-defense. Based on the information provided by officers on scene as well as the evidence gathered at the scene, WILLIE shot John Doe while WILLIE was located in the street and John Doe was located a distance away in the driveway of the residence approximately 30 minutes after the original confrontation.

23. I have probable cause to believe, and I do believe that WILLIE shot John Doe with a shotgun, thereby committing assault with a dangerous weapon in Indian Country in violation of 18 U.S.C. §§ 1153 and 113(a)(3), assault resulting in serious bodily injury in Indian Country in violation of 18 U.S.C. §§ 1153 and 113(a)(6), and using and carrying a firearm during and in relation to a crime of violence, possessing a firearm in furtherance of such crime, and discharging said firearm in violation 18 U.S.C. § 924(c)(1)(A)(iii). Your Affiant swears this information to be true and correct to the best of his knowledge and belief.

24. Supervisory Assistant United States Attorney Elisa Dimas, United States Attorney's Office, District of New Mexico, reviewed this complaint.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Dustin Patterson', written over a horizontal line.

Dustin Patterson  
FBI Special Agent  
Farmington, New Mexico

Subscribed and sworn telephonically  
Before me this 29 day  
Of May 2023.

A handwritten signature in black ink that reads "B Paul Briones". The signature is written in a cursive, flowing style.

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The Honorable B. PAUL BRIONES  
United States Magistrate Judge